

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**CIVIL MINUTES - GENERAL**

Case No.	CV06-4334-CAS(VBKx)	Date	July 24, 2008
Title	<i>FRED AND SHIRLEE SMITH v. MORTGAGE INVESTORS GROUP; ET AL.</i>		

Present: The Honorable **CHRISTINA A. SNYDER, JUDGE**

Catherine M. Jeang	Not Present	N/A
Deputy Clerk	Court Reporter / Recorder	Tape No.
Attorneys Present for Plaintiffs:		Attorneys Present for Defendants:
Not Present		Not Present

**Proceedings:** (IN CHAMBERS) - ORDER BY COURT STRIKING DEFENDANT PREMIER EMPIRE MORTGAGE CORPORATION'S ANSWER FOR FAILURE TO COMPLY WITH LOCAL RULES AND FEDERAL RULES OF CIVIL PROCEDURE

WHEREAS, on February 12, 2008, the Court issued an Order to Show Cause why defendant PREMIER EMPIRE MORTGAGE CORPORATION'S Answer should not be stricken;

A response to the Order to Show Cause was to be filed and served no later than March 13, 2008. As of today's date, no such response has been received by this Court;

IT IS HEREBY ORDERED AND ADJUDGED that the Answer filed on December 15, 2006 by Defendant Premier Empire Mortgage Corporation is hereby STRICKEN for defendant's failure to comply with the Local Rules, Federal Rules of Civil Procedure, and orders of this Court.

**IT IS FURTHER ORDERED** that PLAINTIFF show cause in writing not later than August 8, 2008 why this action should not be dismissed for lack of prosecution as to defendant PREMIER EMPIRE MORTGAGE CORPORATION, only.

In accordance with Rule 78 of the Federal Rules of Civil Procedure and Local Rule 7.15, oral argument shall not be heard in the above matter unless so ordered by the Court. The Order to Show Cause will stand submitted upon the filing of briefs.

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Plaintiff is advised that the Court will consider the following:

- 1) An answer by defendant **PREMIER EMPIRE MORTGAGE CORPORATION** filed by newly retained counsel of record for this defendant, or plaintiff's request for entry of default on defendant **PREMIER EMPIRE MORTGAGE CORPORATION**

on or before the above date, as a satisfactory response to the Order to Show Cause.

cc: Counsel

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Initials of Preparer CMJ